

It was alleged to be misbranded in that the statement "Sterilized after Packaging" was false and misleading when applied to an article that was not sterile.

On May 5, 1937, no claimant having appeared, judgment of forfeiture was entered and the product was ordered delivered to the United States Detention Farm at Milan, Mich., after it had been ascertained that the bandages would be properly sterilized before being used and that the prison hospital was equipped to sterilize them.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27398. Misbranding of Wil-Du Rheumatism and Gout Medicine. U. S. v. 25 Bottles of Wil-Du Rheumatism and Gout Medicine. Default decree of condemnation and destruction. (F. & D. no. 39341. Sample no. 34973-C.)**

This product contained alcohol in excess of the amount declared and its label bore false and fraudulent representations regarding its curative or therapeutic effects.

On April 6, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 bottles of Wil-Du Rheumatism and Gout Medicine at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about August 1 and December 30, 1936, by the Wil-Du Medicine Co., from Woodbury, N. J., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample showed that the article consisted essentially of alcohol (67 percent by volume), water, and extracts of plant drugs including senna.

It was alleged to be misbranded in that the statements "Rheumatism and Gout Medicine A Positive Relief for Chronic and Acute Rheumatism and Gout Will relieve \* \* \* if directions are followed. [design of invalid] \* \* \* This preparation acts on all organs of the human body and assists nature in throwing off morbid substances that cause Acute and Chronic Rheumatism and Gout", regarding its curative and therapeutic effects, appearing on the bottle label, were false and fraudulent. It was alleged to be misbranded further in that the statement on the label, "Alcohol 50 pct", was false and misleading since it did not contain 50 percent of alcohol but did contain a greater amount.

On May 4, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27399. Misbranding of Vi-Go-Ra Olive Oil Hair Tonic. U. S. v. 21 Units of Vi-Go-Ra Olive Oil Hair Tonic (and 1 other seizure action against the same product). Default decrees of condemnation and destruction. (F. & D. nos. 39342, 39628. Sample nos. 20550-C, 20845-C.)**

The label of this product bore false and fraudulent representations regarding its curative or therapeutic effects. It also conveyed the impression that the article contained an appreciable amount of olive oil; whereas it contained not more than a trace of, if any, olive oil. The product contained undeclared alcohol.

On April 6 and May 20, 1937, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 21 units, each containing one 8-ounce and two 16-ounce bottles of Vi-Go-Ra Olive Oil Hair Tonic, at Boston, Mass., and 19 units and 6 separate 16-ounce bottles of the same product, at New Bedford, Mass., alleging that the article had been shipped in interstate commerce from Providence, R. I., in part on or about August 7, 1936, by the Vi-Go-Ra Co., and in part on or about April 10, 1937, by the Rhode Island Barber Supply Co., Inc., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "The Vi-Go-Ra Co., Providence, R. I."

Analyses showed that the article consisted essentially of alcohol (approximately 77 percent by volume), castor oil, a sulphonated oil, water, and a coloring material. It contained not more than a trace of, if any, olive oil.

It was alleged to be misbranded in that the statement "Olive Oil" on the label was false and misleading when applied to an article that contained not more than a trace of, if any, olive oil; in that the label failed to bear a statement of the quantity or proportion of alcohol contained in the article; and in that the

statements "Vi-Go-Ra \* \* \* Hair Tonic A highly efficient and reliable hair tonic for the elimination of dandruff. Stops itching scalp instantly \* \* \* checks falling hair and is very effective for the relief of eczema", borne on the label, regarding the curative or therapeutic effects of the article were false and fraudulent.

On May 10 and June 29, 1937, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27400. Misbranding of Ourine Nasal Balm and Ourine Application for the Ears. U. S. v. 32 Packages of Ourine Nasal Balm and 47 Packages of Ourine Application for the Ears. Default decrees of condemnation and destruction. (F. & D. nos. 39349, 39350. Sample nos. 2202-C, 2203-C.)**

The labeling of these products bore false and fraudulent curative and therapeutic claims.

On April 12, 1937, the United States attorney for the Western District of Texas, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 32 packages of Ourine Nasal Balm and 47 packages of Ourine Application for the Ears, each package of which contained a sample of Ourine Nasal Balm, at San Antonio, Tex., alleging that the articles had been shipped in interstate commerce on or about January 11, 1937, by the Aurine Co., from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses showed that the Nasal Balm consisted essentially of mineral oil with small amounts of menthol, methyl salicylate, and a green-coloring material; and that the Ourine Application for the Ears consisted essentially of glycerin, boric acid, extracts of plant drugs, and volatile oils including oil of lavender.

The articles were alleged to be misbranded in that the following statements on the cartons containing and in circulars accompanying the Ourine Nasal Balm, and similar statements in the circulars accompanying the Ourine Application for the Ears, regarding the curative and therapeutic effects of the articles, were false and fraudulent: (Carton) "Keep The Nasal Passages Germ Free"; (circular) "For Nasal Catarrh \* \* \* We are confident that when used in conjunction with the Ourine Ear Application, Ourine Nasal Balm should help greatly to expedite the greatest possible relief. It has been estimated that 75% of ear ailments, such as head noises, partial deafness, running ear, buzzing and ringing of ears, have started with a catarrhal condition of the nose. The nasal passages are connected with the Eustachian Tubes. When the germs infect the nasal passage, the infection often spreads to the Eustachian Tubes, and thence into the middle ear. Sometimes when the sufferer, afflicted with cold or catarrh, blows his nose, mucus lodges in the Eustachian Tube, blocking and inflaming it, and causing partial deafness. If your ear ailment can be traced to a nasal catarrhal infection—if you nose feels stuffed—you should find that Ourine Nasal Balm is of great value when used with Ourine Ear Application. As one medical authority states: 'Interference with freedom of breathing through the nose unfavorably affects the ears . . . much of the treatment of ear diseases must be directed through the nose and throat in the effort to restore free ventilation and repair the injury due to lack of it.' \* \* \* Ourine Nasal Balm should be used in conjunction with the Ourine Ear Application. \* \* \* Remember—if Your ear ailment is accompanied by nasal catarrh, it is Vitally Important to use Ourine Nasal Balm in addition to Ourine Ear Application. No matter what relief you get from the Ear Application alone, as long as the nasal passages are affected, this condition is a constant threat to a healthy ear, and must be cleaned up. \* \* \* While we intend Ourine Nasal Balm primarily for the users of Ourine Ear Application, it can be of great benefit to other members of your family who are affected by \* \* \* catarrh. People today use mouth washes and gargles to keep the mouth and throat free from germs. But it is just as important to keep the nasal passages in healthy condition. Ourine Nasal Balm can be safely used by Children or Adults to cleanse the nose and check colds and catarrhal conditions. (Incidentally, Ourine Ear Application can and should be used by everyone to keep the ears free from dirt and germs \* \* \*."

On May 19, 1937, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*